

Notice of Allowability

Application No.

10/030,859

Examiner

Monique R Jackson

Applicant(s)

UCHIDA ET AL.

Art Unit

1773

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to RCE filed 9/2/04.
2. ☒ The allowed claim(s) is/are 1-3,6-9,12 and 13.
3. ☒ The drawings filed on 10 January 2002 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 9/9/04.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

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1. The following is an examiner's statement of reasons for allowance: the closest prior art Andersen et al (USPN 4,923,665) teaches a molded article comprising a body made from a moldable material such as concrete or concrete-like materials improved by applying a layer of metal to one or more surface parts thereof wherein the moldable composition comprises (A) homogeneously arranged solid particles such as silica dust of a size of from about 50 to about 0.5 μ m; (B) densely packed solid particles, preferably as cement particles, having a size of the order of 0.5-100 μ m and being at least one order of magnitude larger than the respective particles stated as (A); wherein A is present in a volume amount of 0.1-50% by volume based on the total of A and B; optionally (C) compact-shaped solid particles of a material having a strength exceeding that of ordinary sand and stone used for ordinary concrete in an amount of 1-90% by volume based on the total of A, B, and C; and further a polymer such as curable acrylic resin in an amount ranging between 0.1 and 35% by volume; wherein the moldable material may further comprise plasticizers in an amount of 1-4 wt%, surface-active dispersing agents in suitable amounts; and various fibers in an amount of 1-5%; wherein the molded body may be formed by extruding the moldable material or pressing the moldable material into the desired shape, curing and further coating a layer of metal via vapor deposition, electroplating, plasma plating. Andersen et al do not teach or render obvious that the molded material has a compression strength of 5 N/mm² or more and is cured by an autoclaving curing process under a saturated vapor pressure of 7.15 kg/cm² or higher and at a temperature of 165°C or higher wherein it is noted the curing conditions directly affect the cured molded product.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

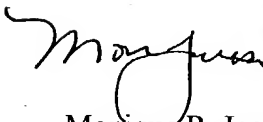
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fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Monique R Jackson whose telephone number is 571-272-1508. The examiner can normally be reached on Mondays-Thursdays, 8:00AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Deborah Jones can be reached on 571-272-1535. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

 **MONIQUE R. JACKSON**
PRIMARY EXAMINER

Monique R. Jackson
Primary Examiner
Technology Center 1700
September 29, 2004